

#10
1/28/04



367.39104X00

PAT 99033 US (NC 25116 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Winand D'SOUZA

Serial No.: 09/684,949

Filed: October 10, 2000

RECEIVED

JAN 15 2004

For: A PORTABLE ELECTRONICS DEVICE

Technology Center 2600

Art Unit: 2683

Examiner: Stephen M. D'Agosta

RESPONSE TO HOLDING OF ERRONEOUS ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 14, 2004

Sir:

Applicant requests the reinstatement of the above-referenced application to pending status and the issuance of an Office Action on the merits forthwith in view of the undersigned's firm not having received the Office Action of February 12, 2003, which is identified in the Notice of Abandonment which was mailed in the above-referenced application on December 4, 2003. The undersigned has physically inspected the file of the above-referenced application and the file does not contain the above-noted first Office Action.

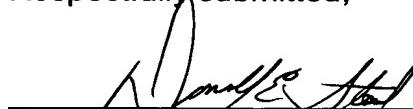
Submitted herewith is a printout of the undersigned firm's docketing records regarding the above-referenced application. It should be noted that there is nothing in the computer database docketing records for this application reflecting the issuance of an Office Action on February 12, 2003.

Furthermore, enclosed is a photocopy of the August 12, 2003 manual docketing records of the undersigned's firm which is kept as a parallel system to the computer docket entry as discussed above. If a first Office Action had been issued on February 12, 2003, the end of the statutory period would have been docketed on August 12, 2003 for response. It should be noted that there is no entry therein regarding docket 367.39104X00 which is the docketing entry identification for the above-identified application. Additionally, attached hereto is the May 12, 2003 manual docketing records for the undersigned's firm which also would have contained an indication that the shortened statutory period for response to the February 12, 2003 Office Action would have expired on May 12, 2003.

Based on the manual inspection of the file by the undersigned, the computer records of the undersigned's firm, which are kept in the ordinary course of business involving the above-referenced application and the photocopies of the manual docketing records for May 12, 2003 and August 12, 2003, the undersigned asserts that the Office Action referred to in the Notice of Abandonment was never received by the undersigned's firm.

In view of the foregoing, it is requested that the Examiner forthwith reinstate the application to pending status and issue a first Office Action.

Respectfully submitted,



Donald E. Stout
Registration No. 26,422
ANTONELLI, TERRY, STOUT & KRAUS, LLP
(703) 312-6600

Attachments

DES:dlh

OPER	RLS	ENTERED	9/19/2000	MODIFIED	12/30/2003	ATTORNEYS	DES	DES / DKT	PRINTED ON:	12/30/2003		
ATSK#	367.38104X00	CNTRY	US	UNITED STATES		NEW/COR	NEW	RELATED				
PATS#	P19068US0	TYPE	UTL	SERIAL#	09/684,949	PATENT#		STAT	ABANDONED			
TITLE	A PORTABLE ELECTRONICS DEVICE							RL/FM	013395/0123			
CLIENT	367	NOKIA IPR DEPARTMENT		1	CREF	PAT 99033 US	SE	NO	ART	3662		
AGENT					AREF		CLAIMS			00206545		
PRIOR	10/8/1999	MAIL	10/10/2000	FILE	10/10/2000	PUBL	ISSUE	ABN	y	12/24/2003	1ST	10/10/2000

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
DL	N	PRIORITY DEADLINE	10/8/1999	12 M	10/8/2000		10/8/2000	0	10/10/2000	1 M	Y	Y	Y
PC	N	POST CARD CHECK	10/10/2000	1 M	11/10/2000		11/10/2000	0	10/20/2000	0 M	N	N	Y
PD	Y	PRIORITY DOCUMENT	11/21/2000										
	Y	IDS FILED	12/29/2000										
FS	N	FILG RCPT STATUS CHK	10/10/2000	3 M	1/10/2001		1/10/2001	0	12/11/2000	0 M	N	N	Y
G2	N	MISSING PARTS (2 MO)	12/1/2000	2 M	2/1/2001	5 1	7/1/2001	0	12/29/2000	1 M	Y	Y	N
AS	Y	ASSIGNMENTRCVD	3/19/2001										
	Y	FILREC RECD	4/2/2001										
ID	N	IDS DUE	6/19/2003	0 M	6/19/2003		6/19/2003	0	5/7/2003	1 M	Y	Y	N
NB	Y	NOT OF ABANDONMENT	12/24/2003										

INVENTORS	ASSIGNEES
D'SOUZA, WINAND	NOKIA MOBILE PHONES LIMITED

PRIOR APPLICATIONS												
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTIO								TYP
	GB	9923957.6	10/8/1999									APPL

NOTES

11/13/00 LTR/PD DOC/FORM DAW
 12/26/00 LTR/DECL/ASSIGN
 3/27/03 LTR/IDS

Record does not show that
 we received Office Action dated
 2/12/03.

OPER	WSM	ENTERED	9/19/2000	MODIFIED	5/7/2003	ATTORNEYS	DAW	DES	/ DKT	PRINTED ON:	12/16/2003
ATSK#	367.39104	CNTRY	US	UNITED STATES		NEW/CON	NEW	RELATED			
PATS#	P19068US0	TYPE	UTL	SERIAL#	09/684,949	PATENT#		STAT PENDING			RL/FM 013395/0123
TITLE	A PORTABLE ELECTRONICS DEVICE										
CLIENT	367	NOKIA IPR DEPARTMENT			1	CREF	PAT 99033 US	SE	NO	ART	3662
AGENT						AREF		CLAIMS			00206545
PRIOR	10/8/1999	MAIL	10/10/2000	FILE	10/10/2000	PUBL	ISSUE	EXP	10/10/2020	1ST	10/10/2000

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
DL	N	PRIORITY DEADLINE	10/8/1999	12M	10/8/2000		10/8/2000	0	10/10/2000	1M	Y	Y	Y
PC	N	POST CARD CHECK	10/10/2000	1M	11/10/2000		11/10/2000	0	10/20/2000	0M	N	N	Y
PD	Y	PRIORITY DOCUMENT	11/21/2000										
	Y	IDS FILED	12/29/2000										
FS	N	FILG RCPT STATUS CHK	10/10/2000	3M	1/10/2001		1/10/2001	0	12/11/2000	0M	N	N	Y
G2	N	MISSING PARTS (2 MO)	12/1/2000	2M	2/1/2001	51	7/1/2001	0	12/29/2000	1M	Y	Y	N
AS	Y	ASSIGNMENTRCVD	3/19/2001										
	Y	FILREC RECD	4/2/2001										
ID	N	IDS DUE	6/19/2003	0M	6/19/2003		6/19/2003	0	5/7/2003	1M	Y	Y	N

INVENTORS

DSOUZA, WINAND

ASSIGNEES

NOKIA MOBILE PHONES LIMITED

PRIOR APPLICATIONS

REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTIO	TYPE
	GB	9923957.6	10/8/1999		APPL

NOTES

11/13/00 LTR/PD DOC/FORM DAW
 12/26/00 LTR/DECL/ASSIGN
 3/27/03 LTR/IDS

400.28838X00 5,063,872 mainpree Gem
 358.29106X00 5,064,188 mainpree 100 otm
 445.29285X00 5,064,999 mainpree DPA S/1
 520.42146X00 Hanada 272942 decpree Gem
 520.42133X00 Takemoto 2600105 decpree CFB 160
 500.40586X00 NAKAYAMA 940638 NOA esp WIS PRWYHIO
 501.39610X00 OHYUCHI 798948 Response esp MK
 520.38186X00 TAKITA 500073 Response esp CFB / esp
 500.41153X00 KIVUCHI 066667 Response esp MK S/12
 503.38097X00 KASHIWARA 493080 Response esp CFB
 321.2598100 " statement of use esp aces
 516.33241X00 Sasai 924583 decpree/purple MK
 520.34814X00 Kondo 173819 decpree/purpleee. CFB
 500.40409X00 Yamamoto 919892 decpree/purpleee MK
 520.37786X00 Kimura 429400 decpree/purpleee CFB / F
 " " " form draw CFB / F
 500.35395X02 Tasao 1000011 decpree CFB S/12
 391.410194X00 Yamamoto 874118 decpree aces
 " " " purpleee CFB
 358.40744X00 Yamamoto 970906 decpree WIS & S/12
 " " " purpleee WIS
 500.35720X00 Oshibono 942737 decpree aces
 " " " form draw aces ✓
 219.37060X00 Shishow 432056 decpree 951hnB57
 " " " " form draw 951hnB
 219.35223X00 Reon 593100 decpree P/S ✓
 " " " " form draw P/S ✓
 1021.39150X01 Furagi 680470 decpree CFB S/5
 " " " " form draw CFB 410
 1612.39249X03 Tomii 203724 decpree dec
 500.41050X00 Monwa 083411 decpree WIS .
 " " " " purpleee WIS
 306.30534X00 Rentonlee decpree aces
 501.30289X00 Chishio " " :
 " " " " purpleee WIS :
 503.35933W8 Aora 828833 decpree/purpleee WIS
 501.37045X00 Mishima 4524162 decpree MK
 648.39301X00 Kawasati 791809 decpree/purpleee WIS / CW
 391.31de750X1 Shimpou 449833 decpree CFB ARC
 520.37572X01 Shiraishi 028704 decpree/purpleee MK
 306.37841X00 Breda 096847 decpree/purpleee aces
 501.40550X00 Kikuchi 935573 decpree. MK P/S
 " " " " purpleee MK P/S
 805.38848X00 Shisanet 649521 decpree aces
 1176.41144X00 Mantua 985464 decpree/purpleee aces
 501.38308X00 Kawanami 508805 decpree MK S
 520.39305X00 Adzole 750101 decpree/purpleee MK S

OR 1/11/14

~~WEDNESDAY~~ AUGUST 12 WEDNESDAY

12

12 TUESDAY

8/12/03 p.m.

003 224th day - 141 days f

v

012. 42354X00 file name out (also in 1/2/03) DES
1154. 42354X00 de cl pce Cet 4/3
500. 38711X00 EBISUARA 604246 RESPONSE ESP CIB/PD
500. 41508X00 KATO 099950 RESPONSE ESP MK S
219. 39502X00 FANNING 886131 RESPONSE ESP/AES/DC
520. 41286X00 UEMURA 082088 RESPONSE ESP MK
500. 39016X00 HAYANO 654389 RESPONSE ESP MK S
500. 39551X00 KIKKAWA 768490 NOA ESP MK A
500. 35360X1 ICHIIEJI 418822 RESPONSE ESP MK/PD
865. 41078X00 FLEISSNER 046275 RESPONSE ESP AES S
500. 36987X1 TARASE 267304 NOA ESP WTS/RTV
1158. 41301X1 KIGHT 514362 NOA ESP AAS/ISW
501. 36599X00 HASEGAWA 257494 NOA ESP PES
501. 41081X00 NOYAMA 1036261 RESPONSE ESP CIB 7/14
500. 37702X00 SHIKOKAWA 429899 RESPONSE ESP MK/PD
520. 40813X00 MATSUO 986589 RESPONSE ESP SEMI
358. 41108X00 YAMAMOTO 050969 RESPONSE ESP JWD
1612. 37800X00 SARDA 455468 RESPONSE ESP DES
1158. 41324X00 KIGHT 540011 NOA ESP AAS/SW
219. 40243X00 Lynch 045078 ~~for me per publ psl for b~~ 8/1/03
" " " ~~from draw~~ 7/5/03
500. 38902X00 Shaba 044012 ~~for me per publ aes~~ MK S
" " " ~~from draw~~ MK
500. 383164X1 Yamitawa 040451 ~~for me per publ aes~~ S
520. 37419X1 IDS DUE CIB
843. 40575X00 DRAWINGS ESP Com ✓ 8/12
501. 34946X1 DRAWINGS ESP Com ✓ 8/12
500. 41500X00 file cont app MK 7/6
SD1. 35152CC2 file cont app LNA / Rem
500. 30874X00 file CA MK 1/8/12
500. 38047X00 file CA MK 8/11
SD1. 40473X00 file DIV app MK AV
843. 30574X00 file CA LNA
SD1. 41361X00 file aw app MK 8/11
500. 30365X00 file cont app A3 1/8/18
520. 39294X00 File Cont App Com ✓ Bump! ✓
500. 36612X00 File DW APP WLS✓

501.42941X00	FUJIEDA	1102010670S1	New
1244.42970X00	GRAY	8061-865 SJP	NewApp
1244.42971X00	GRAY	8061-868 SJP	NewApp
1244.42977X00	GRAY	8061-853 SJP	NewApp
1244.42978X00	GRAY	8061-856 SJP	NewApp
1244.42979X00	LISANDO	8061-871 SJP	NewApp
1244.42980X00	LISANDO	8061-859 SJP	NewApp
1244.42981X00	GRAY	8061-862 SJP	NewApp
1244.42929X00	GRAY	8061-883 SJP	NewApp